

PSYCHOLOGY EXAMINING BOARD  
REGULAR MEETING  
DECEMBER 15, 2000

MEMBERS PRESENT: Barbara Van Horne, Ph.D. ; James Fico, Ph.D.; Mariellen Fischer, Ph.D.; Ann Neviasher; Don Crowder, Ph.D. (appointed, not yet confirmed)

MEMBER EXCUSED: McArthur Weddle

STAFF PRESENT: Patrick Braatz, Myra Shelton, Juliana Reimann, Division of Enforcement (portion of meeting)

LEGAL COUNSEL: Wayne Austin

GUESTS: Sarah Bowen and Steven Seaman, Ph.D., WPA

CALL TO ORDER - ROLL CALL

Chairman Barbara Van Horne called the meeting to order at 9:00 a.m. Barbara Van Horne introduced and welcomed Don Crowder as a new member of the board, and all those present introduced themselves. Dr. Crowder is filling in for the remainder of Lou Stamp's term.

APPROVAL OF AGENDA

Amendments in open session:

At 9:30, oral arguments regarding Steven R. Stein, Ph.D.  
Applicant Photographs  
Additional information regarding Sharon Durland, Ph.D.  
Additional information regarding Peder Piering, Ph.D.  
Kevin Milliken letter to Barbara Van Horne  
Administrative warnings 00PSY016, 00PSY027,  
00PSY038, and 00PSY064  
Legislative update  
Rules regarding CEs and temporary practice

Amendments in closed session:

Ted Nehring memo regarding Steven Schneider, Ph.D.

MOTION: Ann Neviasher moved, seconded by Mariellen Fischer, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 15, 2000

Corrections:

Page 8 - The second paragraph, starting with the second sentence, under DISCUSSION WITH WPA should be reworded to read:

The National Association of School Psychology (NASP) has suggested that school psychologists be licensed by state departments of public instruction for independent practice and that those licensed by regulatory agencies not be allowed to practice within the schools unless also credentialed by NASP.

Page 8 - The paragraph under NATIONAL REGISTER CORRESPONDENCE should be replaced with:

The National Register benefits financially through credentialing of health service providers. The National Register suggested the Psychology Board accept applicants' credentials via the National Register. Since Wisconsin also licenses non-health service providers, the board determined that there is no reason to accept the National Register credentials at this time.

MOTION: Ann Neviasser moved, seconded by James Fico, to approve the minutes of November 15, 2000 as corrected. Motion carried unanimously.

#### 1999-2001 LICENSE RENEWAL PROCEDURES WHEN ADMINISTRATIVE WARNING OR REPRIMAND RECEIVED

Because of the high rate of non-compliance, conducting an audit while monitoring those licensees who have not complied with CE requirements has posed logistical problems. Of concern is how to keep track of people who were required to fulfill past biennium requirements so that they don't claim the same credits in the following biennium or claim credits they have banked. Current procedures do not allow for checking whether these practices have occurred. Patrick Braatz will consult with the Deputy Secretary William Conway regarding handling of this matter.

#### APPLICATION PHOTOGRAPHS

A question was raised regarding whether or not photographs may be required as a part of the application for licensure. Patrick Braatz will discuss this issue with General Counsel William Dusso.

#### ORAL ARGUMENTS

STEVEN R. STEIN, PH.D.

Attorney Jack Zwieg and the respondent's attorney, Kevin Milliken, presented oral arguments in the matter concerning Steven R. Stein, Ph.D. Dr. Stein was present and also spoke.

#### BOARD MEMBER TESTIFYING AS AN EXPERT WITNESS

Attorney Wayne Austin was asked to comment on the impact of Ethics Board Legal Counsel Jonathan Becker's most recent advice to board members testifying as expert witnesses in civil malpractice court actions. In response to the amount of comment generated by his initial advice, Mr. Becker revisited the issue and made the standards even more rigid than previously. Attorney Austin recommended that anytime a board member has any questions regarding instances in which Mr. Becker's opinion would be applicable, the board member should contact the Ethics Board for advice.

#### CE ETHICS REQUIREMENTS

MOTION: Ann Neviaser moved, seconded by Mariellen Fischer, to change the ethics requirement for the 2001-2003 biennium to 6 hours to conform to national standards. Motion carried unanimously.

#### CE AUDIT

Attorney Jack Zwieg and Jan Johnson reported that the CE audit is almost finished. Attorney Zwieg clarified when to issue an administrative warning, when to reprimand, and when to suspend a license, with respect to non-compliance with the CE requirement.

#### RECESS TO CLOSED SESSION

MOTION: Mariellen Fischer moved, seconded by Ann Neviaser, to adjourn to closed session pursuant to Chapter 19.85 (a), (b), (f), and (g), Wis. Stats., for the purpose of oral review of applicants, review of applications, deliberation of proposed decision, deliberating on proposed stipulations, order fixing costs, consulting with legal counsel, reviewing case status reports, and considering additional administrative warnings that may be prepared after mailing of the agenda. Roll call vote: Donal Crowder - yes, James Fico - yes, Mariellen Fischer - yes, Ann Neviaser - yes, Barbara Van Horne - yes. Motion carried unanimously.

Open session adjourned at 10:40 a.m.

#### RECONVENE IN OPEN SESSION

MOTION: Ann Neviaser moved, seconded by James Fico, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 2:30 p.m.

## VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

### ORAL INTERVIEWS

MOTION: Mariellen Fischer moved, seconded by James Fico, to grant licenses for the practice of psychology to **Sharon E. Durland, Psy.D.; Mark P. Ham, Ph.D.;** and **Mary K. Rudolph, Ed.D.** Motion carried unanimously.

### ADDITIONAL APPLICANT INFORMATION

Information for **Peder N. Piering, Ph.D.; Sharon Durland, Psy.D.;** and **Mark P. Ham, Ph.D.** was accepted and licenses were granted to Drs. Durland and Ham, as noted in the previous motion.

### APPLICATION REVIEWS

MOTION: James Fico moved, seconded by Mariellen Fischer, to **admit Mark D. Bjerke, Ph.D.,** to the ethics examination and personal appearance. Motion carried unanimously.

MOTION: James Fico moved, seconded by Don Crowder, to admit **Lura M. Asby, Psy.D.,** to the ethics examination and personal appearance. Dr. Asby must either have documentation of supervision for preschool and neuropsychology provided, or delete those services from her nature of intended practice form. A letter will be sent to her supervisor, **Leota Taylor Larson, Ph.D.** requesting clarification on how supervision was handled. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by James Fico, to **admit Elizabeth D. Cardoso, Ph.D.,** to the ethics examination and personal appearance. Dr. Cardoso must either have documentation of supervision for academic teaching provided or delete that service from her nature of intended practice form. Ann Neviaser voted no. Motion carried.

MOTION: Don Crowder moved, seconded by James Fico, to admit **Sarah Knox, Ph.D.** to the ethics examination and personal appearance, with a letter to **Timothy P. Melchert, Ph.D.,** requesting him to properly complete the supervision form regarding maximum number of supervised hours per week. Motion carried unanimously.

MOTION: Don Crowder moved, seconded by James Fico, to send a letter to **Earl E. Bracy, Psy.D.**, requesting him to either have documentation of supervision provided for children, college, academic teaching or delete those services from his nature of intended practice form, to add sex offender therapy and forensic services to his nature of intended practice form, and to state on it that his practice will be limited to corrections only. A letter will be sent to his supervisor, **Bertrand D. Berger, Ph.D.**, requesting him to properly complete the supervision form regarding Dr. Bracy's title and address of site of supervision as well as provide clarification regarding one-on-one, face-to-face supervised hours. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to send a letter to **Kimberly A. James, Ph.D.**, requesting more information regarding academic teaching, and to send a letter to her supervisor, **Robert A. McGrath, Psy.D.**, requesting him to properly complete the supervision form regarding supervised hours for services applicant is able to practice independently. Motion carried unanimously.

MOTION: Mariellen Fischer moved, seconded by James Fico, to send a letter to **Beth A. Johnson, Psy.D.**, requesting her to either have documentation of supervision for all but competency evaluation, group therapy and substance abuse therapy provided, or delete those services from her nature of intended practice form. Motion carried unanimously.

MOTION: Ann Neviasser moved, seconded by Don Crowder, to send a letter to **Catherine L. Leveroni, Ph.D.**, requesting her to either have documentation of supervision provided for children, adolescent, college, teaching and behavioral medicine, or delete those services from her nature of intended practice form. Motion carried unanimously.

MOTION: Don Crowder moved, seconded by James Fico, to send a letter to **Peder N. Piering, Psy.D.**, informing him that he may add competency evaluation to his nature of intended practice form, but requesting him to either have documentation of supervision provided for family therapy and marital/conjoint therapy, or delete those services from his nature of intended practice form. Attorney Wayne Austin will send a letter to Dr. Piering concerning Dr. Piering's statement that he practiced as an independent contractor while being supervised. Motion carried unanimously.

MOTION: James Fico moved, seconded by Don Crowder, to send a letter to **Jonathan A. Snider, Psy.D.**, requesting him to either have documentation of supervision provided for marital/conjoint therapy, pre-school, and family therapy or delete those services from his nature of intended practice form, and to clarify the nature of his activities from 1991 to the present. A letter will be sent to his supervisor, requesting him to complete the supervision

form properly regarding number of hours for services applicant is qualified to practice independently. Motion carried unanimously.

MOTION: Ann Neviaser moved, seconded by James Fico, to send a letter to **Constance L. Woythal, Ph.D.**, requesting her to either have documentation of supervision provided for adolescents or remove that service from her nature of intended practice. Letters will also be sent to her supervisors, **David Eichenhofer, Ph.D.**, and **Robert Hirschman, Ph.D.**, requesting information regarding their education and training in school psychology, and clarification regarding how they were able to intervene in supervision in the Plymouth School District. Motion carried unanimously.

#### PROPOSED DECISION

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to reject the proposed decision and order of the administrative law judge in the matter concerning Steven R. Stein, Ph.D., and remand the matter to the administrative law judge for further proceedings. Ann Neviaser abstained. Motion carried.

#### ORDER FIXING COSTS

MOTION James Fico moved, seconded by Don Crowder, to adopt the order fixing costs in the matter concerning Russell R. Kania, Ph.D. Motion carried unanimously.

#### ADMINISTRATIVE WARNINGS

MOTION: Mariellen Fischer moved, seconded by Don Crowder, to issue administrative warnings to and close the investigations of Elizabeth D. Axelrod, Ph.D.; Julie Ann Helmrich, Ph.D.; Alfred H. Taylor III; and Thomas E. Johnston, Ph.D. Motion carried unanimously.

#### MEMO REGARDING STEVEN SCHNEIDER, PH.D.

MOTION: Ann Neviaser moved, seconded by Mariellen Fischer, to request Steven Schneider, Ph.D., to appear for a hearing on January 12, 2001, with a letter to Lance P. Longo, M.D., requesting clarification regarding medication and treatment issues. Motion carried unanimously.

This item will be placed on the agenda of the January 12<sup>th</sup> meeting.

### LEGISLATIVE INITIATIVES

Barbara Van Horne introduced Don Crowder to Myra Shelton, Executive Assistant and Legislative Liaison, and to Sarah Bowen and Steven Seaman of WPA.

Myra Shelton handed out a legislation flow chart and an LRB bill drafts status report. She explained the steps of the legislative process, the procedures for drafting legislation and reviewed the status of the Psychology Board's legislation. There is a need to consolidate as many legislative issues as possible to get them into a single bill in order to expedite getting them passed. Discussion also addressed exploring potential authors of legislation.

Barbara Van Horne provided a handout comparing Wisconsin private practice psychologist and private practice school psychologist licensure requirements. Discussion which followed focused on whether or not to strengthen the requirements for private practice school psychologist licensure, and, if so, how to go about this. Myra Shelton recommended that the board see how much can be accomplished towards that end through the rule process and in consultation with Wayne Austin, rather than through legislation. Dr. Seaman offered the support of the WPA in coordinating an approach to this matter.

Discussion of private practice school psychologist licensing requirements will be placed on the January 12 agenda.

Steve Seaman asked about the status of the reciprocity agreement. Myra Shelton will check into this.

### ADJOURNMENT

MOTION: Ann Neviaser moved, seconded by James Fico, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 3:37 p.m.

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